REGULAR MEETING BOROUGH COUNCIL BOROUGH OF RUMSON June 24, 2014

A regular meeting of the Borough Council of the Borough of Rumson was held in the Charles S. Callman Courtroom of Borough Hall on June 24, 2014 and was called to order by Mayor John E. Ekdahl at 7:30 p.m.

Pledge of Allegiance.

COMMUNICATIONS:

Present: Mayor Ekdahl, Councilwoman Atwell, Councilmen Day, Hemphill, Rubin and Shanley.

Absent: Councilman Broderick.

Thomas S. Rogers, Municipal Clerk/Administrator, was present.

Martin M. Barger, Borough Attorney, was present.

Thomas Neff of T & M Associates was present.

The Mayor declared a quorum present and announced that the notice requirements of the Open Public Meetings Act had been met by the posting and mailing of a schedule of all regular and work meetings of the Borough Council for the year 2014 to the *Asbury Park Press* and the *Two River Times*.

Mayor Ekdahl made the following statement recognizing that the State of New Jersey was celebrating its 350th Anniversary in 2014:

In 2007, the Borough of Rumson celebrated its 100th year as an incorporated Borough; however, we were settled in 1665, marking its 350th year as a community in 2015. This year, 2014 marks the 350th Anniversary of the State of New Jersey, as well as the Monmouth County as we had noted at our April 27th Council meeting.

The State of New Jersey was founded in 1664 and played a pivotal role in the Revolutionary War seeing more significant military action than any other state in our new nation and was the site of Washington's infamous Crossing of the Delaware River in early December of 1776. As one of the first Thirteen Original Colonies, New Jersey holds an important place in the history of the United States. Home of one of the oldest and most prestigious institutions of higher learning, Princeton University, New Jersey has produced many World leaders, scientists and intellectuals.

So tonight we congratulate New Jersey on its 350th Anniversary.

On motion by Councilman Rubin, seconded by Councilman Shanley, the minutes of the previous meeting were approved as written, copies having been forwarded to all Council members. All in favor.

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None.	
COMMITTEE REPORTS:	
None.	
UNFINISHED BUSINESS:	
None.	
NEW BUSINESS:	

RESOLUTION 2014-0624-94 AUTHORIZING CHANGE ORDERS 1 THROUGH 19 FOR THE BOROUGH'S 2012 DPW FACILITY CONTRACT WITH SHORELANDS CONSTRUCTION, INC.:

2014-0624-94

Councilman Day offered the following resolution and moved its adoption:

RESOLUTION TO AUTHORIZE CHANGE ORDER NUMBERS 1 THROUGH 19 AND FINAL FOR THE 2012 DPW FACILITY ALTERATIONS PROJECT

WHEREAS, Shorelands Construction, Inc. 7 Columbus Drive, Monmouth Beach, NJ 07750, was awarded a contract with the Borough of Rumson for the Department of Public Works Facility Alterations on April 17, 2012 in the amount of \$436,574.00; and

WHEREAS, certain changes were deemed necessary during the project;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Rumson hereby approves Change Order Numbers 1 through 19 and Final of the Borough's contract with Shorelands Construction, Inc. for the Department of Public Works Facility Alterations Project, which change orders will reflect the addition of certain requested extras resulting in an Increase in the amount of \$26,084.17 and the change in certain materials and equipment resulting in a Decrease of \$2,270.16, with a net increase of \$23,814.01, bringing the total revised contract price to \$460,388.01. Said Change Order was recommended by the Architect on the Project and the members of the Building Committee in a letter dated June 10, 2014, a copy of which is on file in the Municipal Clerk's office; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Chief Financial Officer.

Resolution seconded by Councilman Hemphill and carried on the following roll call vote:

In the affirmative: Atwell, Day, Hemphill, Rubin and Shanley.

In the negative: None.

Absent: Broderick.

RESOLUTION 2014-0624-95 CERTIFICATION OF THE 2013 BOROUGH AUDIT BY THE BOROUGH COUNCIL OF THE BOROUGH OF RUMSON:

The Municipal Clerk/Administrator stated that he wanted to note that there were no recommendations made from the Auditor for the 2013 Borough Audit. He added that he thought it was the third or fourth straight year that we had no recommendations.

2014-0624-95

GOVERNING BODY CERTIFICATION OF THE ANNUAL BOROUGH AUDIT RESOLUTION

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2013 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, <u>R.S.</u> 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated <u>N.J.A.C.</u> 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations;" and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations," as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S.52:27BB-52, to wit:

R.S.52:27BB-52: A local officer or member of the local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Rumson, hereby states that it has complied with <u>N.J.A.C.</u> 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

The above resolution was moved by Councilman Shanley, seconded by Councilman Hemphill, and carried on the following roll call vote:

In the affirmative: Atwell, Day, Hemphill, Rubin and Shanley.

In the negative: None.

Absent: Broderick.

RESOLUTION 2014-0624-96 TO SET THE 2014 SALARY OF A RECREATION SUMMER PROGRAM REPLACEMENT COUNSELOR:

The Municipal Clerk/Administrator stated that we had set the salaries of the Recreation Summer Program Counselors at the June 10th Council meeting, but one Counselor was not able to work and a replacement was to be named in the Resolution below.

2014-0624-96

Councilman Hemphill offered the following resolution and moved its adoption:

RESOLUTION FIXING SALARIES OF CERTAIN BOROUGH OFFICERS, EMPLOYEES AND APPOINTEES

WHEREAS, an ordinance entitled "AN ORDINANCE FIXING COMPENSATION OF BOROUGH OFFICERS AND CERTAIN BOROUGH EMPLOYEES IN THE BOROUGH OF RUMSON, NEW JERSEY" has been adopted following public hearing; and

WHEREAS, said ordinance provides for salary ranges of various job titles and positions; and

WHEREAS, it is the intention of the Mayor and Council to fix the salaries of those individuals who hold such positions; and

WHEREAS, the Borough of Rumson through its Recreation Commission has decided to hire part-time employees for the Borough's summer recreation program;

WHEREAS, it is in the best interest of the Borough to pay said employees on an hourly basis;

WHEREAS, Lillian Scott, one of the Recreation Counselors, appointed by Resolution on June 10, 2014 has decided not to take the position; and

WHEREAS, applicant Devon Borden is available and willing to take the position;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that the hourly rate for Devon Borden as a 2014 part-time Summer Recreation Program employee be fixed as follows:

Junior Recreation Counselor Devon Borden \$ 7.25 per hour

BE IT FURTHER RESOLVED that copies of this Resolution be forwarded to the Payroll Clerk and Chief Financial Officer.

Resolution seconded by Councilman Day and carried on the following roll call vote:

In the affirmative: Atwell, Day, Hemphill, Rubin and Shanley.

In the negative: None.

Absent: Broderick.

RESOLUTION 2014-0624-97 AUTHORIZING THE REFUND OF A TAX OVERPAYMENT FOR BLOCK 144, LOT 22 FOR OCWEN LOAN SERVICING:

2014-0624-97

Councilman Rubin offered the following resolution and moved its adoption:

RESOLUTION REFUNDING TAX OVERPAYMENT FOR BLOCK 144, LOT 22

WHEREAS, the amount billed for the 2014 2^{nd} quarter property taxes for Block 144, Lot 22 was \$2,617.42; and

WHEREAS, on May 12, 2014, a payment in the amount of \$1,200.00 was remitted by the property owner; and

WHEREAS, on June 13, 2014, an additional payment for principal and interest was made by the property owner, leaving a balance of \$0.32 principal; and

WHEREAS, on June 18, 2014 a payment in the amount of \$1,436.00 was made by Ocwen Loan Servicing creating an overpayment of \$1,435.68; and

WHEREAS, a representative of Ocwen has requested a refund of the overpayment for this property; and

WHEREAS, Helen L. Graves, Borough Chief Financial Officer/Tax Collector has confirmed this overpayment and recommends a refund in the amount of \$1,435.68 be made to Ocwen Loan Servicing, LLC., Tax/Escrow Department, PO Box 24665, West Palm Beach, FL 33416-4665;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that the tax overpayment, in the amount of \$1,435.68, for Block 144, Lot 22 be refunded to Ocwen Loan Servicing, LLC., Tax/Escrow Department, PO Box 24665, West Palm Beach, FL 33416-4665; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Chief Financial Officer.

Resolution seconded by Councilman Hemphill and carried on the following roll call vote:

In the affirmative: Atwell, Day, Hemphill, Rubin and Shanley.

In the negative: None.

Absent: Broderick.

MOTION TO AUTHORIZE THE BOROUGH ADMINISTRATOR TO SOLICIT BID PROPOSALS IN A STATE APPROVED FAIR AND OPEN PROCESS FOR ENGINEERING AND PLANNING SERVICES:

Councilman Hemphill moved that the Borough Administrator to be Authorized to Solicit Bid Proposals in a State Approved Fair and Open Process for Engineering and Planning Services. Motion seconded by Councilman Rubin and carried on the following roll call vote:

In the affirmative: Atwell, Day, Hemphill, Rubin and Shanley.

In the negative: None.

Absent: Broderick.

ANNOUNCEMENT BY THE MAYOR:

Mayor Ekdahl made the following Announcement:

1. Borough Hall will be closed on Friday, July 4th in observance of Independence Day. There will be no garbage collection on July 4th. You will have to wait until your next regular garbage collection day for pickup.

Thank you for your cooperation and best wishes for an enjoyable and safe July 4th holiday.

FINANCIAL OFFICER'S REPORT APRIL REVISED:

The Municipal Clerk/Administrator advised that the Financial Officer's Report approved at the Borough Council meeting on May 27, 2014 had an error in number 3. PAYROLL & PAYROLL AGENCY and TOTAL ALL FUNDS in the Cash Receipts, Disbursements and Ending Balance columns.

The following is the *corrected* Financial Officer's Report as of April 30, 2014 with the changed figures indicated in **bold**.

Borough of Rumson Chief Financial Officer Report to the Mayor and Council

Analysis of Cash for the Month Ending: April 30, 2014

Funds	E	Beginning Balance	F	Cash Receipts	Di	sbursements		Ending Balance
CURRENT FUND Current Fund Checking Change Funds Certificates of Deposit Total Current Fund	\$ \$	17,350,173.79 300.00 0.00 17,350,473.79	\$ \$	3,812,832.27 3,812,732.27	\$ \$	(1,164,830.91)	\$ \$	19,998,075.15 300.00 — 19,998,375.15
CAPITAL FUND Capital Fund Checking 2007 Capital Improvement Bond Proceeds Total Capital Fund	\$ \$	1,378,758.05 647,934.93 2,026,692.98	\$ \$	0.00 0.00 0.00	\$ \$	(25,210.01) 0.00 (25,210.01)	\$ \$	1,353,548.04 647,934.93 2,001,482.97
PAYROLL & PAYROLL AGENO Payroll Payroll Agency Total Payroll & Payroll Agency	\$ \$ \$	2,981.86 13,240.66 16,222.52	\$ \$ \$	267,642.55 161,345.66 428,988.21	\$ \$	(267,642.55) (163,707.50) (431,350.05)	\$ \$	2,981.86 10,878.82 13,860.68
4. TRUST FUNDS Trust Fund Checking Unemployment Trust Recreation Trust C.O.A.H. Trust Law Enforcement Trust Fund D.A.R.E. Cafeteria Plan Animal Control Trust Fund Public Assistance Trust Fund Total Trust Funds	\$\$\$\$\$\$\$\$\$\$\$	769,162.52 110,088.35 261,512.11 1,439,293.17 430.32 11,053.92 12,583.81 34,581.93 839.35 2,639,545.48	***	9,332.00 3,664.05 79,029.00 29,273.50 .29 7.27 0.00 738.00 0.00 122,044.11	***	(1,000.00) 0.00 (24,268.69) (37,943.22) 0.00 0.00 (806.34) (1,915.33) 0.00 (65,933.58)	\$\$\$\$\$\$\$\$\$\$\$\$	777,494.52 113,752.40 316,272.42 1,430,623.45 430.61 11,061.19 11,777.47 33,404.60 839.35 2,685,656.01

Respectfully submitted by:

Helen L. Graves

Helen L. Graves, Chief Financial Officer

On motion by Councilman Hemphill, seconded by Councilman Shanley, the Revised Financial Officer's Report for April 30, 2014 was ordered received and carried on the following roll call vote:

In the affirmative: Atwell, Day, Hemphill, Rubin and Shanley.

In the negative: None.

Absent: Broderick.

FINANCIAL OFFICER'S REPORT MAY:

The Financial Officer's Report disclosed the following as of May 31, 2014:

Borough of Rumson Chief Financial Officer Report to the Mayor and Council

Analysis of Cash for the Month Ending: May 31, 2014

Funds	Beginning	Cash	Ending
	Balance	Receipts Disbursements	Balance
CURRENT FUND Current Fund Checking Change Funds Certificates of Deposit Total Current Fund	\$ 19,998,075.15	\$ 8,972,267.53 \$ (7,042,673.91)	\$ 21,927,668.77
	\$ 300.00	\$ \$ \$	\$ 300.00
	\$ 0.00	\$ \$ \$	\$ —
	\$ 19,998,375.15	\$ 8,972,267.53 \$ (7,042,673.91)	\$ 21,927,968.77
CAPITAL FUND Capital Fund Checking 2007 Capital Improvement Bond Proceeds Total Capital Fund	\$ 1,353,548.04	\$ 26,321.00 \$ (387,752.00)	\$ 992,117.04
	\$ 647,934.93	\$ 0.00 \$ 0.00	\$ 647,934.93
	\$ 2,001,482.97	\$ 26,321.00 \$ (387,752.00)	\$ 1,640,051.97
PAYROLL & PAYROLL AGENT Payroll Payroll Agency Total Payroll & Payroll Agency	\$ 2,981.86	\$ 278,473.57 \$ (278,473.57)	\$ 2,981.86
	\$ 10,878.82	\$ 166,411.23 \$ (166,411.23)	\$ 10,878.82
	\$ 13,860.68	\$ 444,884.80 \$ (444,884.80)	\$ 13,860.68
4. TRUST FUNDS Trust Fund Checking Unemployment Trust Recreation Trust C.O.A.H. Trust Law Enforcement Trust Fund D.A.R.E. Cafeteria Plan Animal Control Trust Fund Public Assistance Trust Fund Total Trust Funds	\$ 777,494.52	\$ 3,024.00 \$ (3,272.43)	\$ 777,246.09
	\$ 113,752.40	\$ 76.48 \$ (3,165.26)	\$ 110,663.62
	\$ 316,272.42	\$ 79,515.00 \$ (9,869.06)	\$ 385,918.36
	\$ 1,430,623.45	\$ 27,474.00 \$ (3,168.93)	\$ 1,454,928.52
	\$ 430.61	\$.29 \$ 0.00	\$ 430.90
	\$ 11,061.19	\$ 6.84 \$ (1,813.48)	\$ 9,254.55
	\$ 11,777.47	\$ 0.00 \$ (406.69)	\$ 11,370.78
	\$ 33,404.60	\$ 616.00 \$ (1,063.80)	\$ 32,956.80
	\$ 839.35	\$ 0.00 \$ 0.00	\$ 839.35
	\$ 2,695,656.01	\$ 110,712.61 \$ (22,759.65)	\$ 2,783,608.97
TOTAL ALL FUNDS	\$ 24,709,374.81	\$ 9,554,185.94 \$ (7,898,070.36)	\$ 26,365,490.39

Respectfully submitted by:

Helen L. Graves

Helen L. Graves, Chief Financial Officer

On motion by Councilman Hemphill, seconded by Councilman Shanley, the Financial Officer's Report was ordered received and carried on the following roll call vote:

In the affirmative: Atwell, Day, Hemphill, Rubin and Shanley.

In the negative: None.

Absent: Broderick.

CONSIDERATION OF BILLS AND CLAIMS (RESOLUTION):

Councilman Hemphill offered the following resolution and moved its adoption:

Φ	1 255 00	M 41 C 4 CDCA
\$	1,255.00	Monmouth County SPCA
\$	97.00	Red Bank Veterinary Hospital
\$	1,352.00	Animal Control Account
\$	1,229.48	AR Communications
\$	56,998.68	Shorelands Construction
\$	58,228.16	Capital Account
ψ	30,220.10	Capital Account
•	11,710.32	JCP&L
\$ \$	55.60	Acme Locksmith Service
Φ Φ	14,863.89	Allied Oil LLC
Φ (1,449.45	Americanwear Indust Uniforms
Φ Φ	178.00	
\$	3,650.00	Atlantic Plumbing Supply Corp
Φ Φ	· · · · · · · · · · · · · · · · · · ·	Barnabas Health Corp Care Bike Haven
\$	159.97	
Φ Φ	128.52	Builders General Supply Co
\$	3,835.30	Certified Truck Repair Inc
\$	141.36	Clayton Block Co Inc
\$	680.00	Coded Systems LLC
\$	116.97	Comcast of Monmouth
\$	175.00	Connell Consulting LLC
\$	4,171.20	Delta Dental of New Jersey Inc
\$	7,529.56	Edwards Tire Co Inc
\$	85.18	Fair Haven Hardware Inc
\$	47.78	F & C Automotive Supply Inc
\$	220.16	Game Time
\$	53.87	Glenco Supply Inc
\$	947.69	Heartwood Ecological
\$	35,000.00	Holman Frenia Allison PC
\$	80.95	Interstate Battery
	4,107.26	JCP&L
\$	47.07	Johnny on the Spot Inc
\$	504.00	Kencor Inc
\$	889.16	Level 3 Communications LLC
\$	2,976.68	Marpal Disposal
\$	90.00	Mazza & Sons Inc
\$	390.90	McMaster-Carr
\$	437.93	Monmouth County Treasurer
\$	1,553.63	Moore Medical LLC
\$	395.20	Smart Sign/My Parking Permit
\$	388.96	Naylor's Auto Parts
\$	2,774.01	New Jersey American Water
\$	228.78	NJ Natural Gas Co
\$	166.80	NJ Gravel & Sand Co
\$	3,170.00	NJ Lawns & Gardens
\$	90.00	NJ State League of Municipalities
\$	1,435.68	Ocwen Loan Servicing LLC
\$	184.64	One Call Concepts
\$	500.00	Oswald Enterprises Inc
\$	483.30	Pangaro Training & Management
\$	72.50	Powerhouse Signworks
\$	2,710.49	Pro Craft Auto Body
\$	1,460.00	Pumping Services Inc
\$	34.75	Thomas S Rogers
\$	1,190.00	Roy Press Printers
*****	470.00	Rutgers The State University
\$	240.00	Ryser's Landscape Supply
\$	48.00	Seaboard Welding Supply Inc
\$	43.20	Ronald J Sickler

\$	250.00	State Shorthand Reporting Serv
	161.78	Staples Advantage
\$	389.92	Stavola Asphalt Co Inc
\$	210.00	Stewart Business
\$	2,195.00	Targeted Technologies LLC
\$	133.08	Timmerman Equipment Company
\$	74.09	The Two River Times
\$	1,000.00	United States Postage Service
\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	278.77	Verizon
\$	160.06	Verizon Wireless
\$	134.99	Verizon Business Fios
\$	54.00	Wageworks
\$	146.06	George Wall Lincoln
\$	191.41	Werner Automotive
\$	668.88	Winter Equipment Co
\$	118,411.75	Current Fund
*	,	- 0.200000 - 0.200
\$	452.92	Guaranteed Plants & Florist
\$	400.00	Siciliano Landscape Co LLC
\$	852.92	Endowment Inc Account
\$	537.50	Christopher J Champeau
\$	120.00	Jillian Hadfield
\$	740.00	Joe Hadfield
\$	420.00	Kayla Hadfield
\$	325.00	Caroline Heins
\$	247.50	John Deere Landscaping
\$	332.50	Arleen Mulligan
\$ \$ \$ \$ \$ \$	1,190.00	NJ Wildcats
\$	120.00	Randall Stallworth
\$	120.00	Peter Tobasco
\$	4,152.50	Recreation Account
Φ.	2 170 00	
\$	3,170.00	Current Fund Appropriations
3	115,241.75	Current Fund Appropriations
\$	1,352.00	Animal Control Fund Expenses
\$	58,228.16	Capital Fund Disbursements
\$ \$ \$ \$ \$	852.92	Endowment Disbursements
	4,152.20	Recreation Disbursements
\$	182,997.33	Total Of All Funds

Resolution seconded by Councilman Rubin and carried on the following roll call vote:

In the affirmative: Atwell, Day, Hemphill, Rubin and Shanley.

In the negative: None.

Absent: Broderick.

COMMENTS FROM THE COUNCIL:

The Mayor afforded the members of the Council an opportunity to be heard at this time and no one responded.

COMMENTS FROM THE PUBLIC:

The Mayor afforded the public an opportunity to be heard at this time and the following resident responded:

John Lembeck of 4 Hartshorne Lane, and Chairman of the Rumson Recreation Commission, advised that at a recent Commission meeting he had made the statement that it would be great if a group could get together to clean up the water's edge at the park in West Park. Sharon Greener, a member of the Commission had stated that she thought that she could organize a group to do that,

and the next day a group of Girl Scouts accepted the task. They worked on Saturday from 8:30 a.m. until 12:30 p.m. and removed many bags full of trash and debris that had accumulated under the Sea Bright Bridge and along the Shrewsbury River. The girls loaded Mr. Lembeck's pickup truck with the bags to be carted away. He added that a year ago the Girl Scouts had cleaned up the walking path at Meadow Ridge Park. He stated that, although the DPW employees do a great job of keeping the parks looking clean, the Girl Scouts removed 26 bags of garbage from Meadow Ridge Park that day.

Mr. Lembeck thanked that Girl Scouts for their efforts and interest in the Borough Parks.

Mayor Ekdahl invited the Girls Scouts that had participated and were able to attend the meeting to come forward and be recognized—Katie and Julia Amendola and Brooke Kearney. The Mayor and members of the Council thanked and congratulated the Girl Scouts in attendance, as well as the others that were not able to attend, for the fine job they did.

DJOURNMENT:
On motion by Councilman Rubin, seconded by Councilman Shanley, the meeting adjourned t 7:39 p.m. All in favor.
Respectfully submitted,